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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/608,087	06/30/2003	Milton Gregory Matlock	8564-000029/US	8112
33727	7590	03/06/2007		
HARNESSE, DICKEY & PIERCE, P.L.C. P.O. BOX 8910 RESTON, VA 20195			EXAMINER GOINS, DAVETTA WOODS	
			ART UNIT	PAPER NUMBER
			2612	

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
3 MONTHS	03/06/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary

Application No.

10/608,087

Applicant(s)

MATLOCK ET AL.

Examiner

Davetta W. Goins

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 November 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: _____

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-25 are rejected under 35 U.S.C. 102(b) as being anticipated by Discenzo (US Pat. 6,295,510 B1).

In reference to claims 1, 5, 12, 18, 21, 23-25, Discenzo discloses a) the claimed plurality of sensors for monitoring operating conditions of a motor, which is met by various sensors 62, such as accelerometers, thermocouples, optical sensors, temperature sensors, encoders, viscosity sensors, flux sensors (col. 6, lines 31-67), and b) the claimed removable data storage device for storing data relating to the monitored conditions and co-located from the motor, which is met by docking station 60 including data collection devices that are removed periodically from the machine from which data is being gathered, and subsequent monitoring requires an attempt to reposition the conventional data collection device at roughly the same position on the machine (motor) (col. 6, lines 34-67; col. 7, lines 1-37; Figure 4b).

In reference to claims 2, 10, 19, Discenzo discloses the claimed database having stored therein tolerance values for operating conditions, which is met by a host computer 110 coupled to a docking station 112 for receiving the diagnostic module 50 after it has completed a predetermined term of data collections. The docking station 112 is similar in design to the docking station 60 and thus detailed discussion related thereto is omitted for sake of brevity. The

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docking station 112 includes a communications link to the host computer 110 and thus provides for downloaded data from the diagnostic module 50 to the host computer 110. The collected machine raw data and/or processed data is retrieved from the diagnostic module 50 by the host computer 110 via the docking station 112 (col. 8, lines 52-67).

In reference to claims 3, 4, 9, 11, 20, Discenzo discloses the claimed data analysis component for comparing the data relating to the monitored operating conditions, and configured to provide a warning indication, the host computer 110 may perform further analyses on the raw data and/or processed data in order to facilitate determining a health state of the machine 30. The docking station 112 also provides for an interface between the host computer 110 and the diagnostic module 50 such the host computer 110 may be employed to reprogram the diagnostic module 50 and/or update the diagnostic module 50 with new motor design information (col. 8, lines 52-67; col. 9, lines 1-21).

In reference to claims 6, 13, 15, Discenzo discloses the claimed removable data storage device is configured for remote interface, which is met by the docking station 60 also includes a data communication port 156 which is employed to interface the processor 140 with a remote computing device via a local area network (LAN) or wide area network (WAN) (col. 11, lines 7-17).

In reference to claims 7, 16, Discenzo discloses the claimed power source, which is met by the motor 30 includes a junction box 40 for receiving conductors from power lines via a conduit 42.

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The motor 30 is AC powered and operates at an AC power line frequency of 60 Hz (col. 6, lines 48-67).

In reference to claims 8, 14, Discenzo discloses the claimed user activated component for generating a signal when activated by a user, which is met by diagnostic module 50 optionally also includes a set of user interface keys 94 for allowing the user to input information and/or operational commands.

In reference to claim 17, Discenzo discloses the claimed programmable device configured to store data to the data storage device at predetermined time intervals and maintaining storage of the data for a predetermined period of time, which is met by processor 140 can be programmed to carry out the functions relating to the present invention will be readily apparent to those having ordinary skill in the art based on the description provided herein (col. 10, lines 46-61).

In reference to claim 22, Discenzo discloses the claimed method of providing a warning indication when at least one monitored condition is determined to exceed a threshold, which is met by a display 92 functions to display data or other information relating to ordinary operation of the motor 30. For example, the display 92 may display a set of discrete motor condition indicia such as, for example, fault indicia, caution indicia, and normal operation indicia which is displayed to the operator and may be transmitted over a network. Additionally, the display 92 may display a variety of functions indicating the operation of the motor 30 (col. 8, lines 16-41).

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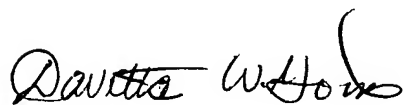
3. Applicant's arguments with respect to claims 1-25 have been considered but are moot in view of the new ground(s) of rejection.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Davetta W. Goins whose telephone number is 571-272-2957.

The examiner can normally be reached on Mon-Fri with every other Fri. off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel Wu can be reached on 571-272-2964. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



D.W.G.

March 2, 2007.

Davetta W. Goins
Primary Examiner
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